IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 3998 of 2005

Between:

SAMATA, A Non-Profit Voluntary Organization, No. 8-2-590/B, Road No. 1, Banjara Hills, Hyderabad-500 034
Rep by its Executive Director Rebbapragada Ravi aged 35 years,
S/o. R.K. Rao, IFS, R/o. 1249/A. Road No. 62, Jubilee Hills, Hyderabad.

..... PETITIONER

AND

1 Ministry of Environment and Forests, Government of India,
Represented by its Secretary, Paryavarana Bhavan, New Delhi.
2 A.P. Pollution Control Board, Rep by its Member Secretary,
Maitrivanam, Ameerpet, Hyderabad.
3 Uranium Corporation of India, Rep by its Vice Chairman & MD,
Local Office NMDC Building, Masabtank, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondents 1 & 2 in seeking to process the application form submitted by R3 for setting up of Uranium Ore processing plant at proposed site Seripalli Village, Devarakonda Mandal, Nalgonda District, Andhra Pradesh, as unconstitutional and consequently declare that the application of R 3 for setting up of plant at Seripalli Village, Devarakonda Mandal, Nalgonda District, Andhra Pradesh as unconstitutional and consequently declare that the application of

R3 for setting up of plant at Seripalli Village, Devarakonda Mandal, Nalgonda District, Andhra Pradesh cannot be proceed further without finalising the site for extract of uranium ore and informing the public about the out come of the earlier application by R3 at Peddagattu, P.A.Pally Mandal, Nalgonda District for the mining site.

Counsel for the Petitioner:MR.K.S.MURTHY

Counsel for the Respondent Nos.1 and 3: MR.ARAJASHEKAR REDDY (SC FOR CG)

Counsel for the Respondent No.2: Mr.S.V.Bhat

The Court at the admission stage made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Public hearing has been fixed on 3rd March, 2005 with respect to the third respondent setting up of 1250 TPD Uranium Ore Plant. This notice was issued on 31st January, 2005. Soon thereafter, objections were filed by the petitioner. Now the petitioner wants stay of the public hearing on the ground that it was not informed of the outcome of the earlier public hearing as regards the site of mining. As a matter of fact, petitioner wants to interlink two independent permissions - for mining site and processing plant - to be clubbed together. The learned counsel for the respondent No.2 states that after the public hearing, which was conducted for the mining site, the matter is under consideration of the Government of India and the present consideration is for the processing plant and whatever objections the public would like to raise, they will be given opportunity to do so in the public hearing scheduled to be conducted on 3rd March, 2005 and the same will be duly taken into consideration.

We are not inclined to interfere at this stage with the public hearing, which is scheduled to be conducted on 3rd March, 2005. In case there will be any other grievance of the petitioner that public hearing was not afforded in accordance with

law etc., it will be at liberty to put forth its objections and seek redressal in accordance with law after the public hearing is concluded. At this stage, there is hardly any ground to interject the process of conducting of public hearing.

Petition dismissed.

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DEVINDER GUPTA, CJ

2ND March, 2005

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B.SESHASAYANA REDDY, J

Tvr

REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Ministry of Environment and Forests, Government of

India, , Paryavarana Bhavan, New Delhi.

2 The Member Secretary, A.P. Pollution Control Board,
Maitrivanam, Ameerpet, Hyderabad.

3 The Vice Chairman and Managing Director, Uranium Corporation of

India, Local Office NMDC Building, Masabtank, Hyderabad.

4 2 CCs to the Senior Central Government Standing Counsel, High

Court Buildings, Hyderabad (OUT).

5 2 CD copies.